GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR&RD Dept. - Allegation of showing negligence in discharging his duties in contravention of Rule-3(1) of APCS (Conduct) Rules, 1964 against Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District - Initiate disciplinary action under Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) 1991 – Article of Charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.V) DEPARTMENT

G.O.Rt.No. 404

Dated:23.04.2022.
Read the following:-

1. G.O. Rt. No.401, PR & RD (Vig.V) Dept., Dated 23.04.2022
2. Note orders dt. 08/04/2022 of Principal Secretary to Govt. PR & RD. to the District Collector NTR District.
3. Enquiry report of Committee of Three (3) Women Officers of Project Director, DWMA, NTR District received through the Joint Collector, NTR District vide Letter CC No.07/JCPESHI/2022 Dt. 20.04.2022.
4. Note orders dt. 20/04/2022 of Principal Secretary to Govt. PR & RD. to the District collector NTR District.

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ORDER:

In pursuance of the orders issued in the reference 1st read above, it is proposed to hold an enquiry against Smt. Jaga Nageswari, Sr.Assistant who is presently working on deputation in O/o the Project Director, DWMA, NTR District on the allegation of showing negligence in discharging her duties in contravention of Rule-3(1) of APCS (Conduct) Rules, 1964, in accordance with the procedure laid down in Rule 20 of A.P. Civil Services (CC&A) Rules 1991.

2. The substance of the Imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the Article of Charges are proposed to be sustained are enclosed (Annexure-III & IV).

3. Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District is directed to submit her written statement of her defence within (10) days from the date of receipt of this order.

4. Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District is informed that an enquiry will be held only in respect of that article of Charge which is not admitted. She should therefore, specifically, admit or deny each article of charge.

5. Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District is further informed that if she does not submit her written statement of defence on or before the date specified in Para-3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P. (CC&A) Rules, 1991 or the order/ directions issued in pursuance of said rules, the Inquiry authority hold the inquiry against her exparte, based on the material available.

(P.T.O)

6. Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in respect of matter pertaining to her service under the Government. If any representation is received on her behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that she is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II, III and IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District through the Commissioner, PR&RD, Tadepalli, Guntur District.
The Commissioner, PR&RD, Tadepalli, Guntur District (With a request to Serve Charge Memo on the Charged Officer with dated signature and send the same for record).
SC/SF(1704584)

//FORWARDED ::BY ORDER//

V. Surya Kumar
SECTION OFFICER

ANNEXERE - I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SMT. JAGA NAGESWARI, SR.ASST WHO IS PRESENTLY WORKING ON DEPUTATION IN O/O THE PROJECT DIRECTOR, DWMA, NTR DISTRICT

.. .. ..

Article of Charge:

That the said Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District has failed to discharge her duties in conduct of enquiry.

Thus Smt. Jaga Nageswari, Sr.Asst who is presently working on deputation in O/o the Project Director, DWMA, NTR District by her above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumar
SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SMT. JAGA NAGESWARI, SR.ASST WHO IS PRESENTLY WORKING ON DEPUTATION IN O/O THE PROJECT DIRECTOR, DWMA, NTR DISTRICT

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On a complaint was received through Social media and over phone from Kumari Sk.Nafisa who was recruited as OS on Outsourcing basis in the O/o Project Director, DWMA, NTR District against Sri GVL. Prasad, Superintendent O/o the PROJECT DIRECTOR, DWMA, Krishna District regarding sexual harassment, he same was forwarded to Collector & District Magistrate, NTR District for getting it enquired by Joint Collector and send a report to Govt. The JC in turn forwarded the same to Project Director DWMA NTR District. The same complainant has earlier raised a complaint before the Project Director DWMA NTR District. The Project Director DWMA Constitute a committee consisting with three women members viz., 1.Smt.P.Anuradha, MPDO /FM (On Deputation), 2. Smt. BVJS. Kiranmai, HR Manager (FTE) 3.Smt.Jaga Nageswari, Sr.Asst. to conduct an enquiry on the allegation raised against Sri GVL. Prasad, Superintendent O/o the Project Director, DWMA, Krishna District regarding sexual harassment of a women employee working on outsourcing basis in the same office:

2. The committee has submitted the enquiry report to the Project Director DWMA who in turn submitted it to the Joint collector. The joint collector has submitted the enquiry report to Govt vide his letter dated. 20/04/2022. As per the enquiry report submitted by the committee, they have enquired the whereabouts of the complainant but they could not trace out her address and her contact number to record her statement during enquiry. Hence, without recording her statement they have submitted their report stating that no such issues persist as raised by the complaint and enclosed the statements of other employees for taking necessary action. After going through the report submitted by the above mentioned three member committee, it is observed that the enquiry report is incomplete and observed the following:

- The enquiry report contains the statements of some office members and co-workers and no statement of the complainant is recorded. In such a sensitive case, without statement of the complainant the enquiry will not be fair.

- From the above observation, it is quite clear the enquiry was not done in a bonafide manner in such a sensitive case and the committee safeguard the alleged officer.

3. The above mentioned facts clearly established gross negligence and has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

4. Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumari
SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SMT. JAGA NAGESWARI, SR.ASST WHO IS PRESENTLY WORKING ON DEPUTATION IN O/O THE PROJECT DIRECTOR, DWMA, NTR DISTRICT

.. .. ..

1) Note orders dt. 08/04/2022 of Principal Secretary to Govt. PR & RD. to the District Collector NTR District.
2) Enquiry report of Committee of Three (3) Women Officers of Project Director, DWMA, NTR District received through the Joint Collector, NTR District vide Letter CC No.07/JCPESHI/2022 Dt. 20.04.2022.
3) Note orders dt. 20/04/2022 of Principal Secretary to Govt. PR & RD. to the district collector NTR District.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumari
SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SMT. JAGA NAGESWARI, SR.ASST WHO IS PRESENTLY WORKING ON DEPUTATION IN O/O THE PROJECT DIRECTOR, DWMA, NTR DISTRICT

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- NIL -

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumari
SECTION OFFICER